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Alternatives for Jail Expansion

June 14, 1987

Well, they're at it again. The Orange County Board of Supervisors is going into a huddle to consider the building of a prison in this beautiful, historic, rural area with elegant, costly homes sprinkled throughout the valley. The idea is out of the question.

The board must consider other suggested alternatives, such as expanding the existing James A. Musick Facility, which the county Planning Commission approved, or the proposed site near the stadium in Anaheim.

These two previously proposed areas are close to needed medical services in Orange as well as courtrooms in Santa Ana.

JOANNE V. GLEASON

San Juan Capistrano

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Irvine Remains Neutral on Musick Jail Expansion : Government: Lake Forest sought city's support in opposing any increased use of minimum-security facility.

February 26, 1992 | TOM MCQUEENEY | SPECIAL TO THE TIMES

Rejecting a request from neighboring Lake Forest, the City Council on Tuesday decided to remain neutral on the possible expansion of a nearby county branch jail.

The Irvine council had received a letter this month from Lake Forest asking it to join in opposing any increased use of the James A. Musick Branch Jail. But on a recommendation from Irvine City Manager Paul O. Brady Jr., the council declined.

"We've always had a position of neutrality with regards to the Musick facility, and we wanted to continue that policy," Councilman William A. (Art) Bloomer said.

The minimum-security jail is owned by the county and sits on 100 acres of unincorporated land between Irvine and Lake Forest, just east of El Toro Marine Corps Air Station.

Lake Forest officials began worrying last month that the county's decade-long search for more jail beds could result in expansion at Musick, including housing higher-risk inmates there, City Councilwoman Ann Van Haun said Tuesday. A Lake Forest residential community borders the Musick jail.

The Orange County Board of Supervisors prompted the worry on Jan. 29 when it considered plans to add 900 beds to the Theo Lacy Branch Jail in Orange, Van Haun said. The Musick branch jail also was mentioned in a county report on jail expansion, but supervisors rejected expansion at that site as too costly--an estimated \$31 million to add less than 300 beds.

"That gave us some relief," Van Haun said. "But at this point in time, we're still concerned about the long-term solutions" to jail overcrowding.

Overcrowding at Orange County jails requires the Orange County Sheriff's Department to release more than 800 inmates each week before their time is served in order to clear space for the newly arrested. The department has also begun housing more serious offenders at Theo Lacy and the James A. Musick branch jails, Sheriff Brad Gates told county supervisors last month.

"There's always the threat over us that they may want to change the way the Musick facility is operated," Van Haun said. "We want, of course, to keep it as a minimum-security prison."

The fear of Musick changing over time prompted the Lake Forest City Council to send letters to its neighboring cities to ask them to get involved. Since the letter did not request specific action, Mission Viejo officials have written back asking Lake Forest to clarify what action it proposes, City Manager Fred Sorsabal said Tuesday.

Musick will continue to be a "contender" in the county's long-term search for more jail beds, said Marilyn Brewer, an aide to Supervisor Thomas F. Riley. The Board of Supervisors told county staff to examine all county property for possible jail expansion after the board rejected a proposed jail site in Gypsum Canyon, Brewer said.

"Musick is on a large acreage and it is county owned," she said. "If you read the signs, it has the potential of being a longer-term solution."

But with the board ruling out expansion at Musick for the next few years, Lake Forest's attempt to create opposition is premature, Brewer said. "It only supports the mentality of this county of 'not in my back yard.'" she said.

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Supervisors OK James A. Musick Jail Relocation Study : Survey: Board Chairman Thomas F. Riley withdraws opposition, joins others in backing plan to look into moving the Irvine facility to the El Toro Marine base.

December 07, 1994 | DAVID HALDANE | TIMES STAFF WRITER

The County Board of Supervisors on Tuesday unanimously authorized a study on the possibility of relocating the James A. Musick Branch Jail from Irvine to El Toro Marine Corps Air Station.

"It would offer the least expensive land cost," Supervisor Roger R. Stanton said in urging fellow supervisors to authorize the study. "It would not require any condemnation of public property."

The study is to be completed within 45 days.

The action was taken after Board Chairman Thomas F. Riley on Monday backed off earlier statements strongly opposing the relocation and suggesting that any new jail facilities ought to be built in Santa Ana.

Describing those remarks as "off the cuff," Riley on Monday added his signature to Stanton's request for the El Toro study, which Riley said he had decided to support despite his personal objections to the proposed move.

Those objections seemed to have been temporarily put aside Tuesday as Stanton said he was "delighted to join Chairman Riley" in urging the study.

"It's a question that has to be answered," Stanton said of the proposed relocation.

In addition to authorizing the study, the board directed county staff to prepare an application to the federal government for acquisition of about 300 acres of the 4,700-acre Marine base for the possible relocation and to assess the value of the 100-acre Musick jail site for possible sale.

Stanton's proposal calls for shutting down and selling the Musick jail--a minimum-security facility equipped to house 1,256 inmates--and using the proceeds to construct a jail on part of the base.

Because the federal government encourages local governments to use part of closed bases for jail facilities, the county might be able to get the El Toro property for free, county officials have said.

The relocation of the Musick jail, Stanton has said, would put the facility in a remote corner of the county, where it would not bother residential neighborhoods.

Orange County has for many years been plagued by overcrowded jails, with no money available to build new facilities or expand old ones.

The debate over what to do has been renewed because of the demands of the state's new "three strikes and you're out" legislation, the future closure of the El Toro base and a recent Orange County Grand Jury report calling for 3,000 additional jail beds at the Musick and Santa Ana jail facilities.

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ORANGE COUNTY ALMANAC : New Digs for Inmates

January 05, 1996

Overcrowding at the Orange County Jail in early 1986 forced authorities to transfer inmates to the new 409-bed James A. Musick Branch Jail in Irvine.

A federal judge set a Jan. 15 deadline for reducing the county jail's population of more than 2,000 inmates. Most had already left the main jail and were living in tents a few hundred yards from the new facility.

Source: Times archives

Los Angeles Times | ARTICLE COLLECTIONS

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IRVINE | COMMUNITY NEWS FOCUS

Bergeson Links Her OK for Jail to City's

May 30, 1996 | RUSS LOAR

Just hours after the county Board of Supervisors agreed to move ahead with plans to expand the James A. Musick Branch Jail near Irvine, Supervisor Marian Bergeson assured wary Irvine City Council members that she would not endorse a final plan without their approval.

"I will make a firm commitment: If the expansion of Musick . . . does not earn your support by the end of the process, then it will not have mine," Bergeson told council members at their Tuesday night meeting.

Earlier that day, supervisors voted unanimously to prepare an environmental impact report for the proposed jail expansion, despite requests for a delay from Irvine and Lake Forest.

The 100-acre Musick Jail houses about 1,000 "low-risk" prisoners in an unincorporated area north of Irvine and west of Lake Forest. The Sheriff's Department estimates from 4,000 to 7,000 new beds are needed to reduce overcrowding.

The county's decision to conduct an environmental impact review of the proposed jail expansion does not mean that the project is imminent, Irvine Mayor Mike Ward said.

"This is an EIR on a project there's no money to build," Ward said. "If there was money to build it, there would be no money to operate it."

Bergeson said she will encourage the county to take a "thorough look" at other potential jail sites closer to the courts complex in Santa Ana.

Ward, though apprehensive about the project, acknowledged the need for more jail space.

"You feel like a hypocrite sitting up here," Ward said. "I'm for public safety and I'm for putting criminals away, then I turn around and say, 'But I don't want them in my backyard.' I think that's what we're all saying all over the county."

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LAKE FOREST | Community News Focus

2 Council Members Join Anti-Jail Panel

June 26, 1996 | FRANK MESSINA

Two City Council members have been appointed to a community panel created to oppose the county's expansion plans for the James A. Musick Branch Jail.

Mayor Richard Dixon and Councilwoman Helen Wilson will join a group of homeowners studying the possible expansion from a minimum-security facility into a full-fledged jail for felons.

The committee, so far unnamed, will also prepare to comment on a county environmental report on the proposal in November.

The county has been searching for years to find a way to relieve chronic overcrowding at its jail in Santa Ana that often results in early release of prisoners.

With some Lake Forest dwellings about 300 yards from the Musick facility, both City Hall and many homeowners are vehemently opposed to the potential expansion.

Los Angeles Times | ARTICLE COLLECTIONS

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Jail Expansion Poses No Risk, Study Finds

Penal system: The report boosts a plan to convert Musick into a maximum-security facility, which is strongly opposed by nearby Lake Forest residents.

August 23, 1996 | SHELBY GRAD | SPECIAL TO THE TIMES

Converting the James A. Musick Branch Jail from a 1,200-bed, low-security facility into a maximum-security detention center housing as many as 7,500 inmates would not pose a safety risk to nearby residents, according to a county study released Thursday.

The long-awaited environmental impact report also said that the Irvine site is the best location available for more jail beds and that the proposed expansion would make a dent in the county's jail overcrowding problem, which has resulted in the early release of thousands of inmates in recent years.

The positive assessment provides a boost for the expansion proposal, which is strongly opposed by residents of nearby Lake Forest neighborhoods.

The county will hold public hearings on the report next month in Irvine and Lake Forest. The Board of Supervisors is tentatively scheduled to vote on the project in November.

Residents and community leaders were just beginning to read through the 6-inch-thick study Thursday evening, but some already questioned the report's conclusions.

"I think it's obvious that there would be an increased security risk if you add maximum-security inmates to this jail," said John Iest, owner of Amest Corp., located near the facility.

"This is a different kind of [inmate]," Iest added. "He has nothing to lose. He attempts to get out whenever possible."

Lake Forest Councilwoman Ann Van Haun said the county should slow down the planning process and seek alternative sites in less populated areas.

"The fact is that this is 700 yards from residents. We don't consider that good planning," Van Haun said. "There needs to be more time devoted to this. I think it's being pushed through too quickly."

The Board of Supervisors commissioned the report in May at the request of Sheriff Brad Gates, who said the expansion is needed to ease inmate overcrowding that has plagued county jails since the mid-1980s.

Supervisors have already approved a 2,900-bed expansion of the Theo Lacy Branch Jail in Orange but lack the necessary construction funds. Voter approval of a bond measure on the November state ballot could provide Orange County with more than \$50 million in jail construction money to complete the Theo Lacy project.

But funding still must be found for a Musick expansion, which officials said is years off, even if supervisors approve the plan. In 1991, Orange County voters overwhelmingly defeated Measure J, a half-cent sales tax to fund new jail construction.

The report released Thursday examined several alternatives to the Musick proposal but found them to be lacking.

Expanding the main jail complex in Santa Ana, for example, would require the time-consuming and costly acquisition of surrounding properties, as well as extensive regulatory reviews. Moreover, such an expansion would produce far fewer new jail beds than the Musick proposal.

The study also found fault with suggestions from some residents that the county sell the Musick site and build a new jail in a more remote location. The county would have trouble selling the property because it was pledged as collateral to help raise money for the county's bankruptcy recovery plan.

County officials also said it is unlikely that a jail could be located at the nearby El Toro Marine Corps Air Station, which is scheduled to close by 1999.

Culbertson, Adams & Associates Inc., which prepared the report, measured the environmental effects of a 7,500-bed jail housing low-, medium- and high-security inmates. Right now, the 100-acre facility houses about 1,200 nonviolent offenders, some of whom live in tents and harvest crops from nearby fields.

The consultant based its environmental impact report on the presumption that the site would be used for three jail buildings, a medical facility and a Sheriff's Department substation. A final development plan, however, has not been completed and might be smaller.

Residents have expressed concern not just about the potential for escapes but also about possible crimes committed by inmates after they are released from jail.

But the report said that other county jail release centers do not generate crime problems and that proper security measures could prevent incidents at Musick.

Supervisor **Marian** Bergeson said the county now needs to hear public comments on the proposal. She said she will not determine her position on the project until she reads the study and meets with affected residents and community leaders.

(BEGIN TEXT OF INFOBOX / INFOGRAPHIC)

Facing the **Musick**

Security fences installed last year at the James A. Musick Branch Jail have dramatically reduced escape. The trend:

1992: 31

1996: 0

Source: Culbertson, Adams & Associates Inc.

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LAKE FOREST | Community News Focus

City to Mull Options on Musick Expansion

September 07, 1996 | FRANK MESSINA

Taking its first official stance on the issue, the City Council this week passed a resolution opposing plans to expand James A. Musick Branch Jail and convert it to a high-security prison.

Besides speaking against the proposed expansion, the council also voted to start the process of adding to or changing city ordinances to regulate jail site development.

A general plan amendment and zoning changes might be needed in case the debate over the jail expansion goes to court, city officials said.

"We basically need to cover all the bases," Mayor Richard T. Dixon said. "There's always an outside possibility that we have to get involved in litigation over the issue."

The proposal to rebuild the Musick jail is in the hands of county officials, who are conducting an environmental report on the expansion plan. The report is due for release Oct. 8.

In the meantime, city officials, who acknowledge the need for a new maximum-security facility, are negotiating with the county to have it built in a less populated area.

The Musick jail is about 1,000 feet from residential neighborhoods in Lake Forest. The plan to expand it to accommodate those convicted of serious crimes has drawn strong opposition from city residents.

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IRVINE | Community News Focus

City Scorns County Plans to Expand Jail

September 26, 1996 | LORI HAYCOX

A proposal to transform Orange County's minimum-security James A. Musick Jail into a maximum-security prison and increase its size 10 times has outraged the City Council, which already is battling the county over its plans for a commercial airport.

Council members said expanding Musick's capacity to 7,584 inmates, more than 10 times its capacity of 713, is just another example of how county plans could bring traffic, crime and noise to this master-planned community.

"'Hell no' would be a good response for this," Mayor Mike Ward said at this week's council meeting. "The county is not using their brains."

The council, which fears for the safety of its residents if the jail were expanded, unanimously agreed to send a letter to the county expressing its opposition.

The council also decided to join forces with Lake Forest after its councilwoman, Helen Wilson, came to Tuesday's meeting asking Irvine officials for support.

Officials are concerned mostly about the increased traffic to a larger facility and the types of people who would be visiting.

"My experience as a former police officer tells me associates of inmates aren't too far an element from criminals themselves," said Dave Christensen, one of five challengers for a City Council seat who came to the meeting to oppose the Musick expansion.

Council members said they would be willing to help the county find another location for a jail, as long as it was not close to residential areas.

The council suggested the county sell the Musick jail and use the funds to build a new jail in Santa Ana, which is closer to the courthouses.

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COMMUNITY NEWS FOCUS

Musick Jail Concerns Listed by Bergeson

October 08, 1996 | SHELBY GRAD

Supervisor Marian Bergeson on Monday released four pages of detailed questions and concerns about a county proposal to convert the James A. Musick Branch Jail in Irvine from a low-security ranch into a larger detention center capable of housing maximum-security inmates.

Bergeson announced last week that she will oppose certification of a recently completed environmental impact report, which concluded that the jail expansion would not pose a safety risk to nearby residents.

Sheriff Brad Gates said the expanded jail is needed to ease overcrowding at other detention facilities that results in the early releases of thousands of inmates each year.

In a memo to county planners, Bergeson suggested that officials consider such alternatives to the Musick project as expanding the main jail in Santa Ana or turning to a private operator.

She raised concerns about releasing maximum-security inmates at the Irvine jail, which is close to a residential area, and about the effects of an expansion on local property values.

The Orange County Planning Commission will review the environmental impact report next week. Supervisors will take a final vote in November.

Los Angeles Times | ARTICLE COLLECTIONS[← Back to Original Article](#)

Talk of Expanding Jail Draws Ire of Neighbors

Land use: Lake Forest residents protest a proposed sixfold increase in inmates at the James Musick facility. Sheriff says the expansion is necessary and wouldn't put the public at risk.

October 13, 1996 | THAO HUA and SHELBY GRAD | SPECIAL TO THE TIMES

Marcel Fernandez sees himself as a Paul Revere of sorts, alerting his neighbors to the threat of an invasion.

The James A. Musick Branch Jail has long existed near Fernandez's neighborhood. Complete with vegetable gardens and canvas cabins, it has been home to about 1,200 nonviolent inmates. But now there is talk of expanding it to house about 7,500 criminals, many of them convicted or suspected of violent crimes.

Led by Sheriff Brad Gates, county officials say the pressing need for more jails to keep criminals off the streets requires that the Musick jail be expanded to become the largest in the county, and that it can be done without endangering nearby Lake Forest residents.

But Fernandez, who lives about 800 yards from the 100-acre, minimum-security jail, says plunking a huge maximum-security jail near homes will endanger residents and drive down property values.

Fernandez, a 53-year-old real estate broker, said he wants to be able "to light the fuse that sparks a powder keg that would blow the plan to pieces."

Already angered over plans to convert the El Toro Marine Corps Air Station to a commercial airport, Fernandez says he and other South County residents have been hit with "a double whammy."

"We understand that there is a desperate need for additional jail beds in Orange County," said Richard T. Dixon, mayor of Lake Forest. "This is not a matter of whether there is a need; it's a matter of location, location, location. We don't feel that a jail should be located within 700 feet of a residential community."

County officials contend that the expansion will not depress property values nor threaten public safety, and they have a 6-inch-thick environmental impact report that reaches those same conclusions.

The report also concluded that the site was the best location. The project would add more traffic to the area, but authorities said there are solutions to that problem.

The report is at the center of the conflict and will make its way to the Orange County Planning Commission on Tuesday, when the panel decides whether to ratify it. If it passes that hurdle, the report will go to the Board of Supervisors for a vote.

Even if supervisors agree to the project, construction may not begin for another three to five years, Gates said.

The county lacks the funds to expand Musick or build a previously approved addition to the Theo Lacy Branch Jail in Orange. The county could receive more than \$50 million if voters approve a statewide jail bond measure on the November ballot, but most of that windfall would go to the Theo Lacy expansion.

"We're reducing sentences by about 40% right now, and that's got to stop," Gates said. "We have a broken system, and we need to fix it and not just talk about it, for everybody's safety."

A report prepared by the Sheriff's Department concluded that in 1995, 40,000 people were cited and released or had their sentences reduced because of prison overcrowding in Orange County. Of those, 882 committed new crimes during the time they would have been in jail; 25 of those crimes took place in Lake Forest and Irvine, according to the report.

Jail overcrowding has plagued the Sheriff's Department since the 1980s, and several efforts to build the prison in other cities have been crushed, partly by public outcry.

Supervisor Don Saltarelli, whose district includes most of Lake Forest, stressed that the board will vote in November only to certify the report, not to begin construction of a new jail. Future votes would be needed to approve the construction plan and to approve funding.

"We are not building a jail at this point. That would come much later, if we can find the money," Saltarelli said. "It's very important to make that distinction. There is no money on the horizon at this point to build the jail at Musick. The residents need to know that."

When the county first proposed the Theo Lacy expansion, nearby residents strongly opposed the plan and the city of Orange eventually sued to block it.

But last year, Supervisor William G. Steiner brokered a compromise that reduced the size of the project from 4,400 beds to 2,900 beds and established a variety of security measures demanded by residents.

"There needs to be some give and take to create a plan that doesn't put the neighborhoods and residents in jeopardy," Steiner said. "With Theo Lacy, we have

an agreement **that** works for both sides and will help keep criminals in jail instead of on the streets."

Saltarelli, who **works** in the real estate business, said he doubted an expanded Musick jail would harm nearby property values.

"I don't think **that** would be the case. I don't think that occurred at Theo Lacy," he said. "Values go up and down with interest rates, the general economy and whether the **market** is good or bad."

So far, only **Supervisor** Marian Bergeson has publicly opposed the environmental impact report.

She faults the **report** for not adequately examining alternative sites such as Santa Ana, which would be closer to the criminal courts. The report also failed to **completely discuss** the possibility of having a private firm operate a new jail, she said.

"I would not **support** this in its current form," Bergeson said. "There is still a lot of strong opposition to it, and there needs to be more discussing about their concerns. Clearly, the cities are not satisfied."

Paul Lanning, **the** report's project manager for the county, said the report has an entire chapter on alternate sites, none of which have been dismissed. Other issues such as **property** values and public safety also were addressed in the report and at previous meetings, Lanning said.

"The other thing to keep in mind is that something like property value is not an environmental issue. We addressed it, but it's not a requirement," Lanning said. Environmental issues include air quality, noise, traffic, parking, construction materials and public safety.

In a four-page **response** to the report, Bergeson also expressed concerns about plans to release maximum-security inmates from the jail, which is nestled between the El Toro Marine Corps Air Station, a Lake Forest neighborhood and several Irvine business parks.

Darcy Frank, **whose** Eastpointe Business Park's office window overlooks the jail, said she works late at night and on weekends and has never felt that the area wasn't safe.

"We haven't had **any** problems," Frank said. "But I'm not so sure once they expand the jail. I don't know if I'll work late or on weekends then. . . . That's something I'll definitely think twice about."

Nearby **homeown**ers are more vigorous in voicing their fears.

Billy Geurin, a retiree who has lived in the Serrano Park neighborhood since 1977, said, "For the life of me, I don't understand why they don't build up the jail in Santa Ana."

Geurin said that would save money on staffing and transportation. "Common sense doesn't reign" in Orange County, he said.

The retiree raised his three children in their Calle Celeste home and was looking forward to living the rest of his life in it. When he first bought his house, Musick was an **honor** farm where inmates raised hogs and planted corn, strawberries and greens.

The hogs, fruits and vegetables are still there, but barbed wire has been installed and the prison has been converted into a minimum-security prison for people arrested for such violations as drug use, burglary and failure to pay child support.

In 1986, an effort to expand the jail into a maximum-security prison failed after more than 3,000 residents gathered at El Toro High School to protest. County officials then proposed to build a 6,200-bed prison in Gypsum Canyon, east of Anaheim, but that plan failed as well.

"For the last 22 years I've been sheriff, every time we've proposed a jail anywhere, we get that not-in-my-backyard response," Gates said. "And we need to get beyond that response. We need to be thinking about the good of the whole."

Chuck Evans says the good of the whole doesn't have to be at his cost. The 39-year-old lighting consultant saved his money for years before buying his first house in the Serrano Park neighborhood about two years ago.

"I've painted the inside and done the front landscaping. I'll be doing the backyard landscaping," Evans said. "This is my first home, so you know, I want to take care of it."

But faced with proposed plans for an El Toro airport and Musick, he is considering selling the two-story home before property values take a dramatic dip.

"I think the county is kind of abusing our neighborhood here."

* LAND DEAL

Some officials fear cleanup costs of farmland for sale near the jail. B6

(BEGIN TEXT OF INFOBOX / INFOGRAPHIC)

Facing the Musick

A plan to expand the James A. Musick Branch Jail and change the inmate mix to include violent offenders pits some South County residents against the

county. Here's a look at the jail and how an expanded one would compare in size to other jails:

James A. Musick Branch Jail

Opened: 1960

Size: 100 acres

Population: 1,000 men, 120 women

Inmate offenses: Nonviolent crimes such as drug use, burglary and failure to pay child support.

Escapes: 11 in 1994; 7 in 1995; none so far this year.

New escape deterrent: 10-foot fence

Jail Capacity

An expanded Musick jail could make it the biggest detention facility in the county. The comparison in number of beds:

Peter Pitchess Jail, Los Angeles County: 8,500

Expanded James A. Musick Branch Jail: Up to 7,500*

"Twin Towers" Jail, Los Angeles County: 4,100

Expanded Theo Lacy Branch Jail, Orange: 2,900

Orange County Main Jail, Santa Ana: 1,200

Santa Ana City Jail: 400

*

* Based on preliminary environmental impact report; expansion has not been approved

Sources: Times reports; Researched by SHELBY GRAD / For The Times

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Board Leaning Against Musick Jail Expansion

Government: Majority of supervisors troubled by project's size. Saltarelli calls it 'unrealistic,' 'scary.'

October 31, 1996 | SHELBY GRAD | TIMES STAFF WRITER

With a vote scheduled for next week, a majority of the five-member Board of Supervisors believes that the present plan to expand the low-security James A. Musick Branch Jail into a maximum-security detention center is too ambitious and should be scaled back.

An environmental impact report released in August discusses converting the 1,200-bed Irvine facility into one of the largest jails in the state, one that could house as many as 7,400 inmates.

But Supervisor Don Saltarelli on Wednesday described the proposal as "unrealistic" and said the county should consider reducing the project's scope or seeking alternative sites.

"I question whether the staff did the right thing by asking for such a large project," Saltarelli said. "To put a facility of this size at this location is a very scary proposal. People are justifiably worried."

Supervisor William G. Steiner expressed strong support for expanding Musick, but said the final plan will likely be much more modest than the "worst-case scenario" outlined in the environmental impact report.

Supervisor Marian Bergeson has already announced she will vote Tuesday to oppose certifying the report, which is the first step in the long development process.

Residents and elected officials in Lake Forest and Irvine are also fighting the expansion, which they fear will depress property values and lead to increased crime as inmates are released from the facility.

The Board of Supervisors commissioned the study at the request of Sheriff Brad Gates, who said the expansion is needed to ease jail overcrowding that forces the early release of thousands of jail inmates each year.

The report concluded that building a 7,400-bed jail at Musick would not pose a safety threat to nearby residents and that the site, next to the El Toro Marine Corps Air Station, is the best available location for the project.

But Saltarelli and Bergeson--who represent residents in the area--questioned whether a more suitable site could be found, perhaps in a less heavily populated area.

Saltarelli also raised concerns about moving forward with the project before the county has secured funding for jail construction and operations.

Proposition 205, a state prison bond measure on the November ballot, would provide Orange County with more than \$50 million in jail construction funding. But most of that windfall would go to a previously approved 1,600-bed expansion of the Theo Lacy Branch Jail in Orange.

"I'm not sure if it's responsible to vote on something that cannot be financed," Saltarelli said. "I would prefer to vote for something that we can build, operate and finance."

Despite these concerns, Saltarelli said he remains committed to easing the county's jail overcrowding problem and plans to meet this week with Gates as well as opponents of the project.

"The sheriff is absolutely right. We need more jail cells, and I am willing to vote for them," he said. "But we need to look at the range of options. . . . The enormity of the proposal in the EIR is terrorizing people."

Environmental impact reports usually describe larger projects than those eventually built.

That was the case several years ago when the supervisors approved a Theo Lacy jail expansion plan, prompting the city of Orange to sue the county in an effort to block the project.

Steiner eventually brokered a settlement that significantly reduced the number of inmates who could be housed there and added a variety of security measures that residents demanded.

"I think you'll see a similar outcome in Lake Forest," Steiner said. "The outcome will probably be far different from what is being discussed now with the EIR. That comes with compromise."

Supervisor Jim Silva said he will wait until Tuesday's hearing before deciding the issue. "I firmly believe in more jail beds for Orange County," he said. "But I'm

very interested in hearing the public testimony."

Expansion opponents vow to be out in force.

"I'm confident that the supervisors will recognize the value of our concerns," said Lake Forest Councilwoman Helen Wilson. "We don't expect them to give this a rubber stamp before the concerns are addressed."

A Times Orange County Poll conducted earlier this month found strong opposition to the jail plan among South County voters. Countywide, the survey found that 50% of voters oppose the expansion while 31% support it.

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Irvine Co. Joins Opponents of Proposed Jail Expansion

November 05, 1996 | SHELBY GRAD | TIMES STAFF WRITER

On the eve of today's vote by the Board of Supervisors, the Irvine Co. announced its opposition to a controversial plan to convert the low-security James A. Musick Branch Jail into a maximum-security jail capable of housing up to 7,500 inmates.

In a letter sent to supervisors on Monday afternoon, Irvine Co. Executive Vice President Gary Hunt said the plan is "incompatible" with the city of Irvine's master development plan and is "inappropriate in light of the jail's proximity to well-established residential and business communities."

The board is scheduled to decide this morning whether to certify the project's environmental impact report, which is the first step in the long development process. The report discusses expanding Musick from an honor farm with 1,200 inmates into one of California's largest jails.

The study concluded that the expansion poses no safety risks to nearby residents and that the site, next to the El Toro Marine Corps Air Station, is the best available location for the project.

Nonetheless, the Irvine Co. suggests in its letter that the county consider alternative locations that are not so close to homes and businesses.

Musick's neighbors "should not be subjected to the risks posed by the housing and transport of serious felons nor by the disruptive and potentially criminal activities . . . that may occur around a large, maximum security" jail, the company wrote in its letter.

Residents and elected officials in Irvine and Lake Forest are fighting the plan, which they fear would depress property values and increase crime.

Sheriff Brad Gates requested the EIR earlier this year, saying the expansion is needed to help ease chronic jail overcrowding that forces the early release of thousands of inmates annually. A study by the Sheriff's Department found that some of those released early commit crimes during the time they should have been serving their sentences.

Supervisors have expressed support for building new jail beds, though some said the 7,400-inmate facility discussed in the EIR is too large and should be scaled back.

But environmental reports often describe a larger project than what is eventually built. A few years ago, the county proposed increasing the Theo Lacy Branch Jail in Orange to nearly 5,000 beds, prompting community outcry and a legal battle.

Last year, however, officials agreed to reduce the project to 2,900 beds and add security measures requested by residents.

Even if supervisors approve the Musick environmental report, the county still must find funding to build and operate the expanded jail. The county could receive more than \$50 million in jail-construction funds if voters today approve Proposition 205, a statewide prison bond measure. But most of that money would pay for the Theo Lacy expansion.

The Irvine Co., which developed many residential communities around Musick as well as the nearby Irvine Spectrum business district, praised Gates and other officials for attempting to deal with the jail overcrowding problem.

But the company urged them to find a "location that does not disrupt or jeopardize the quality of life in established neighborhoods."

Los Angeles Times | ARTICLE COLLECTIONS

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Split Board OKs Jail Expansion

Crime: Plan for top-security Musick facility survives two dissenting votes, neighbors' ire.

November 06, 1996 | SHELBY GRAD and THAO HUA | TIMES STAFF WRITERS

A controversial plan to convert a minimum security facility into one of California's largest maximum-security jails won preliminary approval Tuesday from a divided Board of Supervisors, despite opposition from scores of nearby residents and the two supervisors representing the area.

The 3-2 vote followed an emotional, three-hour public hearing at which Sheriff Brad Gates and two Superior Court judges stressed the urgent need for more jail beds, while residents expressed fear that an expansion of the James A. Musick Branch Jail near Irvine will depress property values and increase crime.

Gates, who has struggled for about two decades against local opposition and tight finances to get more jail space, said after the vote that he felt "sadness and joy."

"Sadness in a sense that we have to locate a jail anywhere at all, but there's no way to avoid it," Gates said. "And joy because after 20 years of struggle, we've absolutely found a long-range jail solution."

But Susan Miller, president of the Serrano Park neighborhood association in Lake Forest, said, "I will tell you South County is tired of being a dumping ground for everything," referring to plans to build a commercial airport at the El Toro Marine Corps Air Station. Miller said she and other residents plan to meet next week to decide whether to fight the jail project "by litigation or by a ballot measure."

Lake Forest Mayor Richard T. Dixon, who stormed out of the meeting saying he didn't want to face his constituents "with that kind of disappointment," also said he and other city officials hope to fight the decision in court.

Tuesday's board action authorizes planning to begin for the expansion of Musick from a 1,200-bed minimum-security jail into a 7,500-bed jail capable of housing maximum-security inmates, who will serve their time in "concrete boxes," Gates said. In a separate vote, the supervisors also certified an environmental impact report on the project.

The report concluded that the expansion does not pose extensive safety risks to nearby residents and that the site, next to the El Toro base, is the best available location for the project.

"It's impossible to find a jail location that pleases 100% of the people in Orange County," said Supervisor Jim Silva.

Supervisors Marian Bergeson and Don Saltarelli voted against the project, saying it is too ambitious and that the county should consider jail locations farther from homes and businesses.

"This proposal has brought about such great uncertainty and fear . . . [that] I feel the county should search out all possible solutions and options," said Saltarelli, who supported certification of the EIR but opposed the project in its current form.

Bergeson questioned how the county would pay for the 100-acre facility, which she said "is really more like a small town rather than an urban jail."

If voters approved Proposition 205, a statewide prison bond measure on Tuesday's ballot, the county could receive \$50 million to \$75 million, most of which would pay for a previously approved expansion of the Theo Lacy Branch Jail. Gates said nearly \$10 million in booking fees, federal grants and other monies also is available.

Supervisor William G. Steiner, who along with Silva and board Chairman Roger R. Stanton voted in favor of the expansion, said he expects the final project will be more modest than the scenario outlined in the EIR.

Steiner on Tuesday proposed scaling back the jail from 7,500 to 4,500 beds, but his motion failed for a lack of support.

"I think the 7,500-bed project is too big," he said. "These issues will have to be resolved through litigation and negotiations."

The county is under court order to avoid jail overcrowding. But officials have been unable to find financing and a suitable location for the new jail beds. County authorities said they examined almost 30 sites before Tuesday's vote.

A recent Sheriff's Department report found that 40,000 people were either cited and released or had their jail terms shortened in 1995 because of overcrowding. Of that group, 882 committed new crimes during the time they should have been in jail.

On Tuesday, about 170 people packed the meeting room, with about 50 speakers for and against the project addressing the board.

Residents who live or work near Musick, including several police officers, said a maximum-security jail puts them and their children at risk. On the other side

of the issue were Santa Ana residents who fear that a failed effort to expand Musick might mean that their city would end up with the burden of housing thousands of additional inmates.

"We believe we've shared our fair share of the burden," Santa Ana Mayor Miguel A. Pulido Jr. said.

Councilman Thomas E. Lutz said Santa Ana "has carried the piano . . . while other cities have carried the stool."

Tuesday's votes begin a planning process for the jail. Those plans and proposed financing also must have the supervisors' approval.

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Jail Expansion Promptly Derailed by 205 Failure

Election: Rejection of bond initiative means that officials will have to find other ways to fund the just-approved conversion of Musick facility.

November 07, 1996 | THAO HUA | TIMES STAFF WRITER

Hours after the Board of Supervisors handed Sheriff Brad Gates a victory by voting to move ahead with expansion of the James A. Musick Branch Jail near Irvine, California voters set him back by as much as \$75 million by rejecting Proposition 205, the jail bond initiative.

Gates and county officials had expected to use most of that money to expand the Theo Lacy Branch Jail in Orange, adding about 900 maximum-security beds. The rest they planned to spend converting Musick from a 1,200-bed minimum-security facility to a 7,500-bed maximum-security jail.

The proposition's failure--59% to 41%, according to unofficial returns--forces county officials to find other ways of funding both expansions.

"Obviously, it will take us a little bit longer to get things done now," Gates said Wednesday. "Somehow, we just need to keep moving forward."

Gates plans to use a total of about \$10 million from a federal grant, booking fees and other sources to help fund the Theo Lacy expansion and to go "back to the governor in January" as the state budget is being developed, he said.

The county has been under court order to solve its prison overcrowding problem, and after nearly two decades of examining various sites, the Board of Supervisors voted Tuesday to proceed with plans for an expansion that would turn Musick into one of California's largest maximum-security jails.

The plan angered many residents who live and work near the jail, located next to the El Toro Marine Corps Air Station. Several of them said Wednesday that they feel a little vindicated by the bond measure's failure.

"I was very relieved that it didn't pass," said Kathy Powers, 50, who lives a few hundred yards from the jail. "Maybe now, Brad Gates will have to reevaluate, since he's got no money."

Cathy Elder, 49, a Lake Forest resident who opposes the expansion, said: "I have to be honest; I only voted against Proposition 205 because of Musick. I wasn't going to do anything to cooperate with that at all."

Supervisor William G. Steiner, who favors a scaled-down project, said he hopes the failed bond measure will force Gates and other county officials to consider his view. Steiner had proposed Tuesday to expand Musick to 4,500 beds, but the motion failed.

"I think the failure of the jail bonds measure increases the likelihood that the James Musick jail will ultimately be scaled back," Steiner said. "It definitely slows down the process, but it won't be fatal."

But on Wednesday in Serrano Park, the residential tract closest to the jail, homeowners spoke of ways to kill the project. The talk turned to lawsuits and ballot initiatives.

"That's all people are talking about around here," Elder said.

Marcel Fernandez, who is leading residents in the fight against the expansion, said that he was flooded with phone calls Wednesday after the supervisors' vote.

"I had calls from people who never called me before," Fernandez said. "It's one thing to make this proposal and another to approve it."

"People are asking, 'What can we do?' Because we're not going to let this happen."

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2 Cities Sue Over Musick Impact Report

Lawsuit: Lake Forest, Irvine contend that the county's study clearing the way for jail's expansion did not adequately assess economic, safety issues.

December 05, 1996 | THAO HUA | TIMES STAFF WRITER

In a move that threatens a project designed to curb jail overcrowding, Lake Forest and Irvine have sued the county over an environmental impact report that marked a key step toward converting the James A. Musick Branch Jail into a maximum-security facility.

The lawsuit, filed Tuesday in Orange County Superior Court, alleges that the report inadequately assessed the project's effect on surrounding residents, who have raised concerns about safety and the prospect of diminished property values. Planners also did not look hard enough for alternative sites, the suit contends.

The cities asked for an injunction preventing county authorities from going forward with the project until another "adequate, complete and objective" report is done, according to the suit.

The Musick expansion, approved by the Board of Supervisors last month, would convert the 1,200-bed jail in an unincorporated area between Irvine and Lake Forest into a 7,500-bed institution housing maximum-security inmates. The jail now holds minimum-security inmates.

"Before the supervisors approved the report, we tried to convince them that the project is a mistake," said Christopher Caldwell, the attorney representing Lake Forest. "That didn't work and we feel this is really the only option available to stop the jail expansion, which the cities feel very strongly about doing."

Sheriff Brad Gates, who has struggled for two decades to increase jail space, said through a spokesman that he cannot comment on the lawsuit because he has not seen it. Supervisor Don Saltarelli, who represents portions of Irvine and Lake Forest, also declined to comment because he has not read the complaint.

The approval was a victory for Gates, whose department has been under court order to avoid jail overcrowding since the 1970s. Although the county has approved the project, it still must find funding sources to build and operate the jail.

Gates has said that the jail space shortage has forced the department to release thousands of inmates, some of whom have gone on to commit crimes in cities such as Irvine and Lake Forest.

But scores of residents who work and live near Musick have opposed the maximum-security jail, contending that it will depress property values and increase crime in their neighborhoods.

Musick, located next to the El Toro Marine Corps Air Station, originally was under consideration for expansion in 1986, but the proposal failed partly due to public outcry. But after failing to find alternate sites, county officials again turned to Musick.

Earlier this year, an environmental impact report asserted that the expansion does not pose extensive safety risks to nearby residents.

But even as the report was made public, Lake Forest officials geared up for a fight by hiring Caldwell, an attorney who helped Anaheim authorities defeat an effort in 1987 to build a county jail in that city by challenging the project's environmental impact report.

"We specifically brought him on board because he was successful" in the Anaheim case, Lake Forest Mayor Richard Dixon said. "We have every confidence that he'll get the job done this time."

Caldwell said there are several similarities between the two reports that will help Lake Forest and Irvine. First, both reports understated the overcrowded capacity at which jails "almost always operate," Caldwell said.

Second, both reports concluded that there would be no significant impact to the surrounding neighborhoods, which Caldwell said "just isn't the case." Third, both reports failed to look at the proposals "in context of foreseeable projects."

For example, the report's authors, Culbertson, Adams & Associates, should have taken into account the proposal to convert the nearby El Toro base into a commercial airport. The supervisors are scheduled to vote on that matter next week.

"The lawsuit addresses exactly the same issues we have been raising," Dixon said. "We just want the county to know that we are resolved to take this as high as we need to in order to stop the jail expansion from happening."

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Substation Design Work to Proceed

Land use: Go-ahead is given despite efforts by 2 supervisors to delay project until getting a court ruling on the Musick jail site.

November 05, 1997 | JEAN O. PASCO | SPECIAL TO THE TIMES

The county will press on with plans to design a new sheriff's substation at the James A. Musick Branch Jail near Lake Forest despite attempts Tuesday by two county supervisors to delay the work.

Supervisors Thomas W. Wilson and Todd Spitzer wanted to wait until later this month, when a judge is expected to rule on a lawsuit by the cities of Lake Forest and Irvine challenging the adequacy of environmental documents prepared for the expansion of Musick to a maximum-security jail.

The two supervisors argued that the \$240,000 contract for design work could hold until the judge's ruling, expected by Nov. 16. Their three board colleagues disagreed, saying the design work is unrelated to the Musick expansion and wouldn't be affected by what happens in court.

"I'd like to see the politics taken out of it and the focus on public safety," said Supervisor Jim Silva. "We've waited long enough."

South County residents support the need for a new substation but oppose efforts to expand Musick, which now houses 1,200 inmates in a medium-security setting. Lake Forest and Irvine sued in December after supervisors approved a maximum-security Musick plan calling for 7,500 inmates.

Board Chairman William G. Steiner said the new substation already has been approved and is sorely needed by sheriff's deputies, who patrol seven South County cities on contract with the sheriff's department. Design and construction is being funded through developer fees already paid by companies that built the South County communities.

Spitzer argued that the judge's ruling could affect the substation because it is mentioned in environmental documents for the jail and because both Irvine and Lake Forest argued in court that it is part of the larger project.

In late 1995, the county built a \$3.4-million sheriff's substation in Aliso Viejo for patrols on the west side of the freeway, replacing aging, rat-infested trailers that had served as sheriff's headquarters in South County since 1978.

The new substation at Musick would serve patrols on the expanding area to the east of the freeway.

Wilson said he wants county officials to consider selling Musick and using the money to buy land for a jail in a more remote area. Currently, homes are within 700 feet of the facility. If the jail moves, the substation would have to go elsewhere, he said.

"I think it's a package deal," Wilson said. "It's not an emergency issue, so I don't see why we couldn't have waited two weeks to see what the judge says."

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Countywide | Community News Focus

Board Again Rejects Proposal to Sell Jail

December 17, 1997 | JEAN O. PASCO

Supervisor Todd Spitzer was shot down again Tuesday in his attempts to have the county sell the James A. Musick Branch Jail near Lake Forest and use the proceeds to buy land for a maximum-security jail elsewhere in the county.

He said a recent appraisal for the Lake Forest Planning Commission placed a \$43-million potential price tag on the land. "We can use the land for a higher and better use," he said.

Spitzer also attempted unsuccessfully to persuade his board colleagues to adopt a resolution calling for future maximum-security jails to be built or expanded away from neighborhoods. Only South County Supervisor Thomas W. Wilson supported him.

Board Chairman William G. Steiner said the board's policy is to expand existing jails precisely because of the energetic opposition from residents to having a jail as a neighbor.

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News Focus

Ruling Awaited on Musick Jail Expansion

January 03, 1998 | FRANK MESSINA

A couple of months into 1998, the city should have an answer from the courts on one of its most controversial issues in years: the proposed James A. Musick Jail expansion.

Possibly as early as this month, a final ruling will come from Orange County Superior Court detailing how to resolve the dispute between the county, Lake Forest and Irvine.

Last year, the two cities challenged a county environmental report on a proposal to expand the minimum-security jail from 1,000 to 7,000 beds. Although in Irvine, the jail is close to Lake Forest neighborhoods.

"There are alternatives to incarceration and other sites available" for a jail in the county, said Lake Forest Mayor Peter Herzog.

One more wrinkle: County Sheriff Brad Gates, who has pushed for the new jail, will step down this year. Officials hope the new sheriff will scuttle the proposal.

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Sheriff Must Face Musick Report

Jails: Judge says environmental study is flawed and denies county's plans to expand the facility.

March 14, 1998 | DAVID REYES | TIMES STAFF WRITER

The county's controversial plans to expand the James A. Musick Branch Jail here suffered a setback after a judge found that portions of the environmental impact report were flawed.

"In our minds, we scored a victory," Lake Forest City Manager Robert C. Dunek said. "They failed to adequately address the impacts" of the proposed jail expansion.

Irvine and Lake Forest brought the lawsuit against the county.

On Thursday retired San Luis Obispo County Judge Warren Conklin, made final a tentative ruling issued in November that found the report inadequately disclosed how the expansion would affect air quality and surrounding agricultural land.

Both sides differed on exactly what the ruling means. While one side considered it a victory, a spokesman for Sheriff Brad Gates said he did not consider the judge's findings insurmountable.

Dunek said the ruling affects the entire project, including construction of a sheriff's substation at the proposed maximum security facility. The judge also turned down a request by the county to start construction of a laundry and cooking facility, Dunek said.

Gates has said he needs to expand the facility from a 1,000-bed honor farm into a maximum-security jail that can house 7,500 inmates.

For Gates, it is simply a matter of modifying the environmental plan to satisfy the judge, said Undersheriff Raul Ramos. Ramos acknowledged the judge's findings but said he didn't think they would halt the project.

"We feel we have to go back to the court and re-argue several points," Ramos said, "but first, we have to sit down and talk with our county counsel."

Jack Golden, a deputy county counsel assigned to the case, was off Friday and could not be reached.

Meanwhile, county Supervisor Todd Spitzer said the entire "EIR should be shelved," and the project scuttled in favor of completing expansion of Theo Lacy jail in Orange.

"Why are we pursuing Musick?" he asked.

In addition, funds seem unavailable to pay for the \$40-million expansion of the Musick jail. At a retreat last week for supervisors to discuss spending priorities in the next five and 10 years, Musick was not discussed, Spitzer said.

He presumes the board will get a report on the ruling from county counsel in the next two weeks and will decide how to proceed then.

The judge's final ruling was slightly different from his November one, said Gregory Diaz, Lake Forest city attorney. The county asked to begin construction on the laundry and cooking facilities, and also wanted to add some additional prison beds.

But the judge "was very clear" in denying both, Diaz said.

Times correspondent Frank Messina contributed to this article.

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Grand Jury Says Musick Expansion Not Needed

Jails: Panel spent eight months studying issue. Steiner says decision to add 5,848 beds has already been made.

April 15, 1998 | THAO HUA | TIMES STAFF WRITER

In another setback for a proposal to expand James A. Musick Branch Jail, a grand jury report released Tuesday offered alternatives to ease overcrowding at the county's jails and warned that expansion costs could strain the county's budget.

The panel spent eight months studying the county's jail situation before concluding in its report that "evidence does not present a clear and convincing need" for doubling capacity across the county or changing the James A. Musick Branch Jail from a minimum-security facility to a maximum-security one. The jail is in an unincorporated area bordering Irvine and Lake Forest.

The report provides grist for opponents of the expansion efforts, especially because it comes on the heels of a judge's ruling that an environmental impact report prepared for Musick's reconstruction was flawed.

"This goes a long way in validating what we have been saying all along," said Lake Forest Mayor Richard T. Dixon. "I hope the Board of Supervisors supervise, and take it and rely on it for making sound decisions in the future with regard to jail expansion."

County supervisors do not have to follow the grand jury's recommendations. Board Chairman William G. Steiner said the report is "important input" but that the decision to expand Musick has been made.

"We can't build our way out of the jail crisis," Steiner said. "But by the same token, it's documented that we have one of the most overcrowded jail systems in the country. We have to expand jail-bed capacity, including at the James Musick facility."

Sheriff Brad Gates has proposed adding more than 7,000 jail beds to the county system, including expansions at Theo Lacy Branch Jail in Orange and Musick, which is near a residential neighborhood. Plans to add 400 beds at Theo Lacy already have been finalized, but authorities do not have the money yet to do the work.

Meanwhile, county officials have been battling community opposition to the Musick proposal, which would increase the number of beds there to 7,104 from 1,256.

In arguing for the expansion, the Sheriff's Department prepared a report showing that in 1995, 40,000 people were cited, released or had their sentences reduced because of jail crowding in the county. Of those, 882 committed new crimes during the time they would have been in jail. In the last five years, more than 3,800 arrests involved people who were supposed to be behind bars at the time, officials said.

"No one knows how many crimes each of them committed before being rearrested, but even in the unlikely scenario in which they only committed one offense before being taken back into custody, what a terrible price our citizens have had to pay for lack of adequate jail beds," Sheriff's Department officials said in a prepared statement.

But the grand jury noted Tuesday that more than 70% of the early releases in 1996 and 1997 were for five days or less. Furthermore, the practice of citing and releasing people without a warrant is largely driven by the California Penal Code and not a shortage of jail beds, according to the report.

The grand jury recommended that the county curb jail crowding by expediting transfer of inmates to state prisons and making more use of city jails. The report also recommended more punishments that do not require jail space, such as home detention by electronic monitors, work furlough and work programs.

"I agree that we need to look at alternatives to incarcerations," Steiner said. "But we don't have control over some variables that are being proposed, such as the transfer of inmates to state prisons. . . . With the county's urban problems and crime rate, we're going to need more beds. It's that simple."

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Musick Jail Expansion Plans Proceed

Despite opposition from two supervisors, others say they have to move ahead with project, citing lack of prison beds in county.

May 06, 1998 | JEAN O. PASCO | SPECIAL TO THE TIMES

County supervisors will continue plans to build a 7,500-bed, maximum-security jail at the James A. Musick Branch Jail near Irvine despite attempts Tuesday by two supervisors to shelve the contentious project.

Supervisors Tom Wilson and Todd Spitzer were joined by Lake Forest Mayor Peter Herzog and Irvine city planner Peter Hersch in urging the Board of Supervisors to stop the jail expansion, the subject of ongoing legal challenges by both cities.

The board instead approved hiring Culbertson, Adams & Associates to refine parts of the county's environmental report ruled inadequate in March by a judge. Retired San Luis Obispo County Judge Warren Conklin ruled that the county failed to disclose how the project would affect air quality and surrounding agricultural land.

Supervisor William G. Steiner argued that the county has an obligation to proceed with Musick's expansion to increase the number of jail beds for the county's burgeoning inmate population. Sheriff Brad Gates is releasing inmates early because of jail overcrowding; a recent grand jury report estimated the practice shaves five to seven days off inmates' sentences.

Steiner said he doesn't support an ultimate build-out at 7,500 beds but said all of the environmental studies must be done to accommodate whatever expansion is approved for Musick.

"Every other area of the county has done its part" for jail facilities, said Steiner, who, as an Orange City Council member approved expanding the county's Theo Lacy Branch Jail in that city six years ago.

"This debate [about expanding Musick] has been going on for 25 years," board Chairman Jim Silva said. "We have to move ahead."

Spitzer asked his colleagues to hold off deciding Musick's fate until a new sheriff is sworn in next year to replace Gates, who personally has lobbied supervisors to build Musick. Gates is retiring and isn't seeking reelection.

Both Marshal Michael S. Carona and Santa Ana Police Chief Paul M. Walters, vying to replace Gates, have expressed reservations about expanding the 1,000-bed honor farm, where many inmates now sleep in security tents.

"Both candidates have said they won't support" Musick's expansion, Spitzer said. "We're continuing to squander taxpayer money on this."

The proposed expansion has galvanized South County residents, who oppose a maximum-security facility so close to homes, schools and neighborhoods. Both Herzog and Hersch said Irvine and Lake Forest intend to continue their legal challenges.

Wilson and Spitzer argued that the county already has an approved plan to expand the Theo Lacy jail by another 384 beds but doesn't have the money--an estimated \$12 million a year--to operate the expansion. They said the county must identify enough money for Theo Lacy first before continuing with Musick, which could cost around \$40 million to build.

Money for the smaller, Theo Lacy expansion is included in a five-year strategic plan that supervisors are expected to approve next week. The third and fourth expansion phases aren't yet funded.

Wilson proposed shelving Musick while moving ahead with plans for a greatly needed South County sheriff's substation on the property, as well as a laundry and cooking facility. His motion failed.

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FOCUS: ORANGE COUNTY COMMUNITY NEWS | IRVINE

City Moves Ahead on Annexing Jail to Stop Expansion

May 30, 1998 | LISA ADDISON

The City Council this week agreed to move forward with a plan to annex James A. Musick Branch Jail, hoping to block county plans to expand the facility.

Irvine officials have said that annexing the jail would give the city more say in its future development. The proposed annexation would add about 98 acres of county-owned land to the city.

Lake Forest and Irvine have opposed the county's plans to turn the minimum-security facility into a 7,500-bed maximum-security jail, citing its proximity to residential neighborhoods and businesses.

The Local Agency Formation Commission must make the final ruling on the annexation proposal. The city expects to have that decision by November.

For more than a year, the city has been battling the county over the proposed annexation. Since the county is the sole landowner of the jail, it could halt annexation proceedings in a protest to LAFCO.

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Gates Disputes Grand Jury on Jail Expansion

Report: Sheriff backs contention that Musick facility needs to expand to relieve overcrowding.

June 11, 1998 | SHELBY GRAD | TIMES STAFF WRITER

Sheriff Brad Gates on Wednesday strongly disputed the findings of a recent grand jury report, which questioned the county's plans to expand the James A. Musick Branch Jail in Irvine.

The grand jury concluded that converting Musick from a 1,000-bed minimum security facility to a 7,000-bed jail handling some high-security inmates could strain the county's budget and might not be needed. The jury also questioned whether Gates' projections for future jail needs are on target.

But in a detailed response, Gates said more jail beds are crucial to reduce severe overcrowding in county jails that results in the early release of thousands of inmates a year.

Gates has cited a new study by the Department of Justice that found Orange County to have the most overcrowded jails per capita in the country, topping even urban centers Los Angeles and New York.

The department estimates that it will need a total of 10,911 jail beds by 2006, based on a study completed in 1987. The grand jury said the study might be out of date and did not take into account the recent drop in Orange County's crime rate.

But Gates defended the report's accuracy and noted that the "three strikes" law and other efforts to crack down on repeat offenders has actually increased demand for jail beds.

The grand jury report suggested that some of the early release of inmates is not caused by overcrowding and would occur even if more jails are available. Gates disagreed, saying his department would keep inmates behind bars for their full terms even if their crimes are relatively minor or nonviolent.

The Musick jail expansion is opposed by many nearby residents but has the support of the Board of Supervisors. No money is available for the project, which would begin only after the county completes an expansion of the Theo Lacy Branch Jail in Orange.

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Spitzer Suggests Anaheim Hills Jail Study

Supervisor aims to prevent Musick jail expansion, but board approves environmental report on that proposal. Sheriff and sheriff-elect disagree on plans.

October 21, 1998 | LORENZA MUNOZ and DAVID HALDANE | TIMES STAFF WRITERS

Opening a new front in the battle over jail construction, Supervisor Todd Spitzer suggested Tuesday that the county study building a jail along the Eastern tollway near Anaheim Hills, to the immediate criticism of local residents and other county officials.

Spitzer proposed the idea with hopes of derailing the county's plans to convert the James A. Musick Branch Jail in Irvine from a minimum-security jail into a maximum-security facility capable of holding up to 7,000 inmates.

For the Record

Los Angeles Times Friday October 23, 1998 Orange County Edition Metro Part B Page 3 Orange County Focus Desk 2 inches; 58 words Type of Material: Correction

Jail--A headline Wednesday incorrectly described the location of a proposed Orange County jail. The site is on unincorporated county land south of Anaheim Hills. The story also misattributed the following comment made by Supervisor Tom Wilson: "Lake Forest and Irvine are likely to become the heart and brain of Orange County. Why would we want to use 100 prime acres in the middle of this economic engine for a jail?"

"I'm trying to test the public's acceptability to this idea," said Spitzer. "I'm just opening up that site as a possible location to initiate discussion."

The concept of a jail in the remote, sparsely populated Windy Ridge area sparked the interest of Sheriff-elect Mike Carona, who like Spitzer opposes expansion of the Musick jail. Carona said he was not familiar with the exact location of Spitzer's Anaheim Hills site but said he would welcome a chance to discuss it.

Spitzer's suggestion didn't stop a majority on the Board of Supervisors from moving ahead with approving the environmental impact report on the Musick expansion, which is strongly supported by outgoing Sheriff Brad Gates. However, a final vote on expansion of the jail will not come until January, after Carona takes office.

Spitzer and Supervisor Tom Wilson argued that the unincorporated area known as East Orange makes more sense for a new jail than the more densely populated areas around Musick.

"Lake Forest and Irvine are likely to become the heart and brain of Orange County," Spitzer said. "Why would we want to use 100 prime acres in the middle of this economic engine for a jail?"

But officials in Orange and Anaheim immediately questioned the logic of placing a new jail in their backyard.

"It doesn't sound like it's a very well-thought-out suggestion," said Anaheim Mayor Tom Daly. "Generally speaking, I believe that it's far more cost effective to expand existing jail facilities than to build new ones. Also generally speaking, jail facilities should be built adjacent to court facilities."

Orange Mayor Joanne Coontz said her city is already facing a major expansion of the Theo Lacy Branch Jail on The City Drive and that the idea of building a second county jail in the area was news to her.

"This is something that needs some study and consideration for the city of Orange and its future," she said.

The new jail site is a few miles south of Gypsum Canyon, where officials spent four years and \$7.3 million in a failed bid to locate a jail. The Gypsum Canyon plan generated heated opposition from the surrounding community, and eventually it lost support among county supervisors.

Supervisor William G. Steiner said Tuesday it would be a waste to spend more time considering a jail in the area.

"So much energy, money and time has been spent in the county to try to find a new jail, and it's resulted in a blind alley every time," Steiner said.

For more than two decades, the county has struggled with ways to relieve overcrowding at county jails that results in the early release of inmates. Gates sees expanding Musick as one way to reduce overcrowding, but nearby residents strongly oppose the idea.

Gates acknowledged that while nobody wants a jail in his backyard, Lake Forest and Irvine residents need to take responsibility for helping solve the overcrowding problem.

"It is critical that this county finds a solution," he said. "We just can't continue waiting to try to solve this problem."

But Carona disagrees with Gates and said the county needs to conduct studies to determine whether a massive new jail is actually needed.

"I will not spend half a billion dollars of taxpayer dollars on a new jail that we may not need," said Carona.

(BEGIN TEXT OF INFOBOX / INFOGRAPHIC)

Jail Tale

Supervisor Todd Spitzer suggested a new jail near Anaheim Hills. But the full board decided to go ahead with plans to expand the James A. Musick Branch Jail in Irvine.

Los Angeles Times | ARTICLE COLLECTIONS

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Sheriff Steps Up Plans to Enlarge Jail

February 19, 1999

Orange County Sheriff Michael S. Carona said Thursday that a proposed initiative aimed mainly at killing the planned airport at El Toro Marine Corps Air Station is forcing him to step up plans to enlarge a County Jail facility in Lake Forest.

Carona said he has no choice but to move ahead on a project to expand the James A. Musick Jail from 1,100 to 7,584 beds because passage of the initiative would make approving any new jail sites practically impossible.

"They may have pushed me into building Musick and we'll have to do it now," Carona said. "It's either [new] jail beds or prisoners released on the streets. I can't take a chance that I won't have a place to build a jail."

The initiative would require a two-thirds vote of the public for any new or expanded airports, jails or hazardous-waste landfills. Specifically, any jail expansion of 1,000 beds within half a mile of 100 or more homes would require voter approval.

A recent county report showed the jail system needs 5,000 additional beds.

Carona said he has given county attorneys approval to complete environmental work on the expansion while he analyzes the possible impact of the initiative.

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Anti-Airport Measure Spurs Jail Talk

Sheriff wants to move on expansion of Lake Forest facility, before proposed initiative that would require two-thirds approval of such projects

February 19, 1999 | JEAN O. PASCO | TIMES STAFF WRITER

Orange County Sheriff Mike Carona said Thursday that a proposed initiative aimed mainly at killing the planned airport at El Toro is forcing him to step up plans to enlarge a county jail facility in Lake Forest.

Carona said he has no choice but to move ahead on a project to expand the James A. Musick Branch Jail from 1,100 beds to 7,584 beds because passage of the initiative would make approving any new jail sites practically impossible.

"They may have pushed me into building Musick, and we'll have to do it now," Carona said late Thursday. "It's either [new] jail beds or prisoners released on the streets. I can't take a chance that I won't have a place to build a jail."

The initiative would require a two-thirds vote of the public for any new or expanded airports, jails and hazardous-waste landfills. Specifically, any jail expansion of 1,000 beds within a half-mile of 100 or more homes would require voter approval.

The sheriff said he previously agreed to ask county supervisors to place a moratorium on expansion plans while he continued talks with South County city leaders on alternative jail sites. A recent county report showed the jail system needs 5,000 additional beds.

But Carona said he now has given county attorneys "the green light" to complete environmental work on the expansion while he analyzes the possible impacts of the initiative.

Lake Forest Mayor Peter Herzog said the proposed measure contains a provision that could allow a large jail expansion without a public vote. The provision states that a vote would not be taken if there is a court judgment or agreement to allow the expansion.

In Orange, for instance, lawsuits by the city against the county resulted in a settlement that allows for an expansion of the Theo Lacy Branch Jail. Herzog said the measure would not prohibit that expansion.

The cities of Lake Forest and Irvine have suits pending against the county to block expansion of the Musick facility. Herzog said that passage of the initiative would not affect any expansion reached through a settlement before election day.

"Our intention has always been to work with Sheriff Carona and come up with a solution," Herzog said. "There is no need to move ahead on Musick."

Supporters of the proposed initiative will seek voter signatures in an effort to qualify it for the March 7, 2000, election.

Many of the city leaders who are part of the coalition opposing the commercial airport at El Toro also are fighting the county's plans to expand Musick.

On Thursday morning, the anti-airport coalition, known as the El Toro Reuse Planning Authority (ETRPA), approved the measure's final language and voted to send it to the county Board of Supervisors.

The board could place it on the ballot without voter signatures, but ETRPA and other South County airport foes doubt the board would approve it. That's because three of the five supervisors already have said they oppose it.

However, Jeff Metzger, chairman of the anti-airport Citizens for Safe and Healthy Communities, filed the proposed initiative Thursday with county elections officials so his group could begin gathering signatures soon.

"We've already had interest from people all over Orange County to help with this," Metzger said.

Volunteers need 71,206 signatures of registered voters before Sept. 1 to qualify the initiative for the March ballot.

"I'm against the initiative, and I think it's wrong," board Chairman Charles V. Smith said. "This would not only affect El Toro, but it would prevent us from building a new jail in Orange County [and] the expansion of Musick."

Supervisor Todd Spitzer said he'll support the initiative because it would stop planning for the El Toro airport. "And I'm for voters having another say," he said.

Airport foes said they hope to raise \$3 million to promote the initiative and expect airport supporters to raise up to \$6 million to fight it.

Political consultant Frank Caterinicchio of Newport Beach said he has been approached by airport backers willing to fund an unusual campaign. They want to

persuade voters who sign the measure to remove their names, he said.

"There's a danger in creating a precedent for requiring a two-thirds vote on any big development statewide," Caterinicchio said. "What they've done is picked up enemies they never had before."

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FOCUS: ORANGE COUNTY COMMUNITY NEWS

Lake Forest

March 19, 1999 | Chris Ceballos, (949) 248-2150

The City Council on Tuesday approved \$39,750 for a study to determine alternatives to expansion at the James A. Musick Branch Jail. Sheriff Mike Carona has agreed to work with South County cities to keep from having to expand Musick from 1,200 beds to a 7,500-bed maximum-security jail. The study is a cooperative effort between Lake Forest and Irvine. Information: (949) 461-3400.

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